

MONTANA WOOL GROWERS ASSOCIATION

COMMENTS IN SUPPORT OF SB NO. 83, SPONSORED BY SENATOR MURPHY

BY JIM BROWN

- Mr. Chairman, members of the Committee
- Good morning
- My name is Jim Brown.
- I have a legal office located in Helena, Montana
- I am here today representing and on behalf of the Montana Wool Growers Association
- I'm sure this Committee is familiar with the Association and that it represents Montana's sheep and goat industry.
- On behalf of the membership of the MWGA, I rise in support of SB 83
- This bill is good public policy, and is designed to both benefit Montana's domestic sheep industry and to ensure that big horn sheep transplantation projects will be successful.
- In January 2010, with the support and help of the Montana Wool Growers, Montana FWP developed its first ever management plan for big horn sheep. The plan is intended to provide management guidance for bighorns for at least until the year 2020.
- The plan calls for, among other things, establishing five new viable and huntable bighorn sheep populations over the next ten years.
- This augmentation of bighorn sheep populations is a worthwhile goal, and one supported by the wool growers.
- however, as has been the position of the wool growers all throughout the adoption of Montana's bighorn sheep conservation strategy, putting sheep into new areas of Montana should only be done if the transplant respects private property rights and involves landowner approval, the science supports finding the likelihood that the transplanted herd will survive, and only if it is the financial obligation of the state to maintain and ensure separation between bighorn and domestic sheep, and only if an environmental review is performed.
- All these principles are recognized in Montana's bighorn sheep conservation plan as principles that must be followed by FWP personnel when considering bighorn sheep transplants.

- In addition, many of the provisions contained in this bill are good practices recommendations made by the western association of fish and wildlife agencies working group on wild sheep in 2010.
- Today's bill does nothing more than codify the steps FWP has already committed to take when transplanting bighorn sheep into new areas. See bighorn sheep conservation strategy p. 64.
- Specifically, the bill will make clear that prior to transplant bighorn sheep, FWP must determine if
 - i. the proposed transplant area historically was bighorn sheep habitat
 - ii. contain range capacity to support the anticipated population size
 - iii. determine that at least 65% of the proposed transplant is publicly owned or managed, this will ensure that the department does not look to private property as the primary habitat for transplanted sheep, and
 - iv. Prepare a comprehensive management plan that identifies how the transplanted herd will managed, and
- importantly, identify a permanent source of funding to be used for management actions related to the transplantation effort.
- And obtain written permission from landowners holding 80% of the private land located within the proposed transplantation area and from landowners whose land will be used and/or crossed to implement the reintroduction (requires approval of majority of landowners (or major landowners)

IN ADDITION, this bill builds in some environmental protections, and protections for county government by

- i. requiring that before any transplantation can occur , an environmental review on the transplant has to occur – which includes a scoping process requirement.
- ii. Require FWP to coordinate with county commissioners;
- iii. Hold at least one public meeting in each impacted county;

- iv. Provide written notification to all landowners within the proposed transplant area and notify them of the ability to submit public comment
- v. The environmental review must include disease surveillance data and an analysis of the impacts of the management plan for the area

This bill is good public policy. It requires FWP to comport with our state's environmental laws by having them prepare an adequate analysis of the environmental impact of a proposed transplant. It requires FWP to comply with the open meeting and notice provisions of state law and the Montana constitution by noting that they will have to hold public meetings in the affected areas, to give notice to landowners possibly impacted by the transplant,

To those who would say that this will make it harder for FWP to transplant sheep because more process will be needed before a transplant can be undertaken, I would respond that if the transplant is worth doing, it will be done regardless of the process required.

The Wool Growers Association is a proud partner in the management of big horn sheep and we look forward to working with FWP personnel in implementing the provisions of this bill when passed.

The bighorn sheep conservation strategy specifically recognizes that livestock producers and private landowners are critical to the success of bighorn sheep recovery in Montana and the strategy contains provisions directing fwp to respect private property and to protect domestic sheep operations from actions that may jeopardize their herds or their ability to graze on public lands. The agency and Montanans will only benefit by codifying the management proscriptions in the conservation plan.

The sheep industry urges a 'do pass.'

CONCERNS RAISED BY THE INDUSTRY

- WHO PAYS FOR SEPERATION MEASURES
- AREA PROPOSED FOR TRANSPLANT IS TOO SMALL, THEREBY RAISING HABITAT AND HEALTH CONCERNS.
- LARGE MAJORITY OF TRANSPLANT AREA INVOVLES PRIVATE LAND
- The FWP has failed in the past to identify the source herd for transplant
- The western association of fish and wildlife agencies had adopted recommendations that suggest that prior to a bighorn sheep transplant or reintroduction, FWP should thoroughly analyze and develop modeling to determine habit suitability and to mitigate the risk of disease transmission
- FWP should be required to develop a management plan that both analyzes these issues and continas management tools to prevent disease transmission
- FWP's own conservation strategy requires that FWP to determine if there is suitable range prior to transplant
- FWP presently required to get approval from major landowners pror to release. What defines major landownes. Why not all landowens?